

**CHANNEL ISLANDS NATIONAL MARINE SANCTUARY
SANCTUARY ADVISORY COUNCIL**

FINAL MEETING NOTES¹

Friday, September 23, 2005

**Casa Las Palmas
323 E. Cabrillo Blvd. • Santa Barbara, CA**

Note: Audio tape recordings of this Sanctuary Advisory Council (SAC) meeting are available upon request; contact the SAC Coordinator at 805-884-1464.

Attending:

GOVERNMENT REPRESENTATIVES:

NATIONAL PARK SERVICE

Member Russell Galipeau

MINERALS MANAGEMENT SERVICE

Member Fred Piltz, Ph.D.

US DEPARTMENT OF DEFENSE

Member Alex Stone

Alternate Walter Schobel

COUNTY OF SANTA BARBARA

Member Dianne Meester [SAC Chair]

COMMUNITY REPRESENTATIVES:

TOURISM

Member Lauri Baker

NON-CONSUMPTIVE RECREATION

Alternate Scott Dunn

BUSINESS

Member Bill Spicer

CONSERVATION

Member Linda Krop [SAC Vice Chair]

Alternate Greg Helms

RECREATIONAL FISHING

Member Merit McCrea

COMMERCIAL FISHING

Member Chris Hoeflinger

EDUCATION

Member Craig Taylor

Alternate Barbara LaCorte

RESEARCH

Member Robert Warner Ph.D.

Alternate Dan Brumbaugh Ph.D.

PUBLIC AT-LARGE-2

Member Eric Kett [SAC Secretary]

Alternate Matt Lum

CHUMASH COMMUNITY

Alternate Paulette Cabugos

NON-VOTING MEMBERS:

Channel Islands National Marine Sanctuary

Chris Mobley, Manager

Monterey Bay National Marine Sanctuary

Alternate Sean Morton, Management Plan Coordinator

¹ Adopted by the Sanctuary Advisory Council on November 18, 2005.

Absent:

GOVERNMENT REPRESENTATIVES:

NATIONAL MARINE FISHERIES SERVICE

Member Mark Helvey
Alternate Lyle Enriquez

NATIONAL PARKS SERVICE

Alternate Gary Davis

U. S. COAST GUARD

Member Lt. Ronald Fien
Alternate John Luzader

MINERALS MANAGEMENT SERVICE

Alternate Ann Bull

US DEPARTMENT OF DEFENSE

Member Alex Stone

CALIFORNIA DEPARTMENT OF FISH AND GAME

Member Marija Vojkovich
Alternate Kristine Barsky

CALIFORNIA RESOURCES AGENCY

Member Brian Baird
Alternate Leah Akins

CALIFORNIA COASTAL COMMISSION

Member Rebecca Roth
Alternate Gary Timm

COUNTY OF SANTA BARBARA

Alternate <vacant>

COUNTY OF VENTURA

Member Lyn Krieger
Alternate Jack Peveler

COMMUNITY REPRESENTATIVES:

TOURISM

Alternate Monica Baker

NON-CONSUMPTIVE RECREATION

Member Warren Glaser

BUSINESS

Alternate Bill Agosta

COMMERCIAL FISHING

Alternate Jim Marshall

RECREATIONAL FISHING

Alternate Steve Roberson

PUBLIC AT-LARGE-1

Member Jim Knowlton
Alternate Phyllis Grifman

CHUMASH COMMUNITY

member <vacant>

NON-VOTING MEMBERS:

Monterey Bay National Marine Sanctuary

Member Bill Douros, Sanctuary Superintendent

Gulf of the Farallones National Marine Sanctuary

Maria Brown, Manager

Attendance

SAC attendance was on the light side, with 13 of 21 voting seats represented at the call of roll, decreasing and changing to fewer voting seats at the close of business. Seven seats were absent for the day: Public At-Large #1, NOAA Fisheries, U.S. Coast Guard, California Department of Fish and Game, California Resources Agency, California Coastal Commission, and Ventura County. Public attendance peaked at approximately 12 individuals.

Administrative Business and Announcements

Dianne Meester, Council Chair, presided over the meeting. The July 22nd draft SAC meeting notes were unanimously approved and adopted as final.

Chris Mobley highlighted several items in the Manager's Report (provided to all SAC members and the attending public), and also touched on the following items that were not in the report:

- The Channel Islands Marine Sanctuary Foundation has selected four projects to be funded through the Collaborative Marine Research Program.
- We are working with the Monterey Bay Marine Sanctuary Foundation to transfer funds to the

- California Department of Fish and Game for enforcement at CINMS to have a more consistent presence for regulatory enforcement
- The Sanctuary helped support another successful tomol crossing by members of the Chumash community. The crossing took 11 hours and paddlers landed at Scorpion Anchorage, Santa Cruz Island.
 - Mobley is scheduled to be joined by National Marine Sanctuary Program (NMSP) Director Dan Basta in providing the upcoming From Shore to Sea Lectures in October, and they hope to carry out a town hall style event. Chris noted that the lectures will focus on the future of the NMSP and CINMS. He encouraged all to attend and invited SAC members to contact him about what they would like to see happen in the next 25 years with the NMSP and CINMS, and with marine conservation.
 - Mobley introduced Todd Jacobs, the Sanctuary's new Assistant Manager, who has been working with the NMSP since 1989. Jacobs indicated that he is excited to rejoin CINMS after 11 years since this is his favorite place to be. Jacobs was one of the original staff members for CINMS from 1989 to 1994. Subsequently, he served as the first manager of Olympic Coast National Marine Sanctuary, then worked for Dan Basta in NOAA's Special Projects Office and eventually back at the NMSP where he has worked regionally from Santa Barbara. Jacobs encouraged all to feel free to approach him with any questions or comments or to just say, "Hello."
 - Mobley mentioned that the NMSP reorganization process is underway, including regionalization, which for the West Coast includes all four California sites and Olympic Coast National Marine Sanctuary. Regionalization will foster integrated strategies, goals and objectives for projects like mapping, research and monitoring, and education and outreach products and programs. This will also help create a standard look, theme, and appearance to these programs and products to build recognition of the NMSP. Pending final approval from the Senate the NMSP will initiate regionalization on October 1st. Bill Douros, Monterey Bay National Marine Sanctuary Superintendent, has been acting Regional Superintendent.
 - Sarah MacWilliams provided an update on regional data buoys. Sarah summarized the history of this issue for the SAC. She indicated that on August 31st CINMS received a letter from the National Weather Service Director in response to the SAC's letter to NOAA Administrator Vice Admiral Lautenbacher, which requesting that the buoys be repaired, that NOAA fund buoys previously funded by the Minerals Management Service, and that NOAA provide long-term funding to keep the buoys operable. The August 31st response letter thanks the SAC for their support, and another letter from the head of the National Ocean Service acknowledges that the buoys have been fixed and are operational again, and thanks the SAC for their comments.
 - MacWilliams also announced that the Marine Conservation Biology Institute, a non-profit, requested that copies of their analysis of the National Marine Sanctuaries Act and its reauthorization be distributed to the Advisory Council. MacWilliams noted that the Sanctuary is making the document available in response to this request, but this does not represent Sanctuary endorsement of this material.
 - MacWilliams also announced that the Sanctuary has produced a new 25th anniversary edition of the *Alolkoy* newsletter that she suggested all check out.
 - Mike Murray congratulated the SAC on their handling of the data buoy issue, saying that the letter and inquiries made a difference. The fact that the response letters say that the National Ocean Service made a request that the President's budget fund the buoys, and the Director of the National Data Buoy Center would like to provide a presentation to the Advisory Council is proof of your ability to make a difference.

Council Member Announcements

Paulette Cabugos announced that the formation of the Chumash Community Working Group is coming together. The first meeting is planned to be held on November 6th and the group hopes

to set a meeting time for every other first Sunday of the month if possible. Through conversations over the past year with different Chumash Community members, it is their goal to have one adult and one youth participate from the different regions of Chumash territory at the meetings.

Bill Spicer mentioned that he enjoyed the four page 25th anniversary centerpiece fold out piece in the Santa Barbara Independent for the Channel Islands National Marine Sanctuary.

Linda Krop announced that at the Coastal Commission hearing on oil and gas leases on August 11th, the Commission unanimously voted against extending the leases. On August 12th a federal judge mandated that MMS must complete full environmental review before extending the leases. MMS is also working on the 2007-2012 Lease Plan; comments are due October 11.

Linda also announced that there are a few upcoming community events: a rally on Sept. 24th in Oxnard regarding LNG, a Surfrider Foundation "Paddle Out" event on Sept. 24th, sea otter awareness week, a town hall meeting in Oxnard on Nov. 9th regarding LNG, and the Environmental Defense Center's final Thank-God-It's-Friday (TGIF) of the season on October 7th.

Fred Piltz asked everyone to acknowledge the devastation brought by the recent hurricanes to the south, and mentioned that MMS has an office down there and many of those employees have suffered greatly. He asked for everyone to be generous in their thoughts and contributions and to be aware of the conditions of that area.

Scott Dunn informed the council that member Warren Glaser was not feeling well. Scott mentioned that he and Warren were excited about the Ocean Etiquette Program mentioned on page 11 of the Manager's Report.

Sean Morton updated the Advisory Council on the Monterey Bay National Marine Sanctuary's management plan; part of the management plan is in review and they are not looking to release it until April or May 2006. He also expressed that Monterey Bay would like to get some of its council down to the Channel Islands area for an Advisory Council meeting. Monterey is also excited for their soon to be built new *Shearwater*-class Research Vessel the *Fulmar*. Recently the R/V *Shearwater* was in Monterey and it conducted studies with the Partnership for Interdisciplinary Studies of Coastal Oceans (PISCO) that were very successful, including discovering new unidentified species.

Dianne Meester mentioned that she had a very positive experience visiting the Monterey Bay National Marine Sanctuary Advisory Council at their Cambria meeting in August and enjoyed sharing information. Dianne also mentioned that the County of Santa Barbara is close to picking the alternate replacement position formerly held by Jackie Campbell.

Bob Warner announced that Channel Islands marine protected area monitoring has been running ahead of schedule; logistics have gone well and the weather has been good. He should be able to give the Advisory Council a preliminary report of this year's monitoring at the next Advisory Council meeting.

Russell Galipeau congratulated the Channel Islands National Marine Sanctuary on their 25th

Anniversary. He announced that the Kelp Forest Monitoring Program wraps up this week and thanked the Sanctuary for their partnership in the program. Russell mentioned that he and Chris Mobley attended a meeting with the Ventura County School District recently and that they would like to become the hub for the underwater video program and hope to send that information live to other schools like Nebraska with the telepresence program. The Park and Sanctuary have been collaborating on my levels recent this past month and recently hosted a team of Canadian scientists. Next week the Smithsonian Institute and Mexico are sending people to visit.

On another note, Russell announced the Park has had several cases over the past month of illegal fishing and some have gone to court with stiff outcomes, banning some folks from fishing in the Park for a year while others will pay fines that will go toward supporting enforcement and resource. Most of the violators are coming from the LA area and are simply unaware of the regulations; one offender received a \$2,000 fine for fishing at Landing Cove, Anacapa Island.

Chris Mobley also mentioned that the Park and Sanctuary are working together on research and that he and Russell went back east together for a large meeting to discuss how the Park Sanctuary programs can integrate more. The Sanctuary and Park are viewed by the Washington level Administration as representing a unique and valuable partnership.

Chris Hoeflinger thanked the Park for the recent enforcement actions. The action of fining the offenders will spread fast through the community. Chris also mentioned that Dr. Milton Love is working in the Sanctuary again; he has a heavy field season this year comparing natural areas and oil field platforms with some sites in the Sanctuary. Chris Hoeflinger said he is also preparing for various work on the delta 7 deep water reef sites within the Gull Island marine protected area, which is a phenomenal reef site. Chris also expressed his support for the flier about the National Marine Sanctuaries Act provided by the Marine Conservation Biology Institute (MCBI) (available at the public information table) and asked everyone to pick it up.

Matt Lum announced that a friend of his was diving in the Sanctuary and was buzzed by a great white shark near Anacapa Island. Matt wanted to know if there was a great white sighting database to check for markings, identification, sightings, etc.

Eric Kett commented that an increase in shark sightings is interesting, and that he has seen several fishing.

Greg Helms announced that the dive vessel Conception is back in the water. Greg also expressed concern over the flier provided by MCBI and stated that he does not support it and many in the conservation community also have concerns about it.

Dan Brumbaugh informed the council that his employee, the American Museum of Natural History (AMNH) in NYC, is coordinating the development of curriculum modules for conservation education through the international Network for Conservation Educators & Practitioners project (<http://ncep.amnh.org/us/>). In English, approximately 20 modules are available for teacher evaluation and testing, and another 25 are in active development. Other modules are currently being developed in Spanish, French, and Lao languages. Most address general aspects of diverse topics in conservation science and practice, but several modules are focused on issues in marine conservation, such as marine protected areas (MPAs). To add further content to these marine conservation modules, the AMNH hosted a NCEP workshop last

week in Big Sur to develop several case studies about international MPA planning, including one on the marine reserves process in the Channel Islands. Gary Davis, Bryan Oles (a social scientist with NOAA's MPA Science Institute), and Dan worked on the CINMS case study, and have contacted others, including current and former SAC members Merit McCrea and Matt Cahn, for additional input. The case study team and the NCEP coordinators also plan to seek input from others as well. Please see Dan for more information about the Channel Island case study or the NCEP project.

Discussion of the Advisory Council's Marine Reserves Letter-writing Experience at the July 22nd Meeting

Dianne Meester provided some background context for this discussion:

- In May the Advisory Council directed that a letter be drafted to Admiral Lautenbacher in regard to marine reserves, and asked that Greg Helms draft that letter in advance. He drafted the letter and sent it out a week in advance of the July Advisory Council meeting, and he received and incorporated comments.
- Advisory Council members' opinions about the letter diverged and as people began discussing what they wanted changed it became unclear as to who would support the letter or not, regardless of the changes made. The SAC should have taken a straw vote to determine who would support the letter regardless of the changes made to it.
- Ultimately a vote was taken and some abstained or voted no, which left some wondering why changes were made to the letter.
- There was a different sense of urgency among Advisory Council members as to the need to send the letter. Dianne acknowledged that it was rushed.
- The feedback Dianne got was supportive of sending the letter so she had staff go ahead and send it out.

Dianne reviewed the records on SAC decision-making protocols:

- SAC retreat January 2001: work toward consensus as a group and use straw polls early; if consensus not reached then a simple majority vote carries at 51%+ or a super majority vote carries at 2/3+; there needs to be a way to have a minority opinion expressed in a recommendation.
- Protocols adopted by the SAC on Sept. 18, 2003 superseded those earlier protocols (see handout sent in the meeting packet that outlines the agreed to protocols)
 - Point 8: SAC letter-writing protocol. Some people assumed that the protocol said a letter had to be provided in advance, but it actually doesn't. It says SAC members are encouraged to come to meetings with language suggestions. We try to encourage people to talk to their working groups about upcoming letters, but sending them out in advance is not required. If not time-sensitive some draft letters should wait for the following meeting for comment and consideration.

Dianne concluded that except for lapsing on the straw vote we did follow the procedures. Now we can consider whether we want to modify procedures. Dianne's suggestions for modifying procedures:

- Significant policy issues should involve straw votes early on
- Deliberative process for those members not comfortable with an action or letter - find out what would be necessary to make them comfortable
- Set a time limit, maybe a week or two, to have a draft letter circulated in advance of meeting
- Determine if a decision needs to be made at a given meeting – avoid merging content and urgency of letter
- For those who have requested changes to a letter or action, have them vote first so that the originator of a letter knows where they stand
- Establish letter drafting subcommittee that is representative of varying viewpoints on the given

issue to make sure we have a balance of perspectives when we ask people to write a letter

Linda Krop agreed with Dianne's recommendations and reiterated that it would be helpful to have a straw vote and to ask folks not comfortable to state their concerns and whether they could support a letter with changes. Last time we spent time changing the letter, and this changed the letter substantively. By the time we found out people wouldn't support the letter it was too late to go back to the language we started with. People could be honest and say, "Given my constituency there is no way I can support the letter, but here are some suggestions anyhow." Then the group can determine whether they want to incorporate the suggestions – this may expedite the process.

Eric Kett explained that he was opposed to the letter on principal; that it wouldn't have mattered what the letter said; and he thinks he said that up front. Eric suggested that it might be helpful if the minority viewpoint is written by the minority. In this case we should have assigned someone to write the minority viewpoint part of the letter at the previous meeting. Eric offered that he is still in favor of the protocol, but suggested that the protocol be changed to specify that if there is a minority the minority be assigned responsibility for writing their part of a letter. Eric also confirmed that he is okay with the suggestions Dianne provided.

Several SAC members offered opinions regarding in what format and how far in advance draft letters should be shared with the SAC for review and comment:

- Dianne commented that every effort should be made to include a draft letter in the meeting packet, and include the minority viewpoint.
- Dan Brumbaugh suggested that the letter be emailed out.
- Eric Kett suggested that some folks may feel that their viewpoints need to be expressed in the public forum, so using email doesn't necessarily address that concern. Opinions expressed in a public forum can sway others. Dianne confirmed that decisions should be kept to this public forum.

Merit McCrea stated that the letter was changed so drastically that towards the end he felt that he could support it; but, it had changed so much and the time pressure was so great that he didn't have time to feel comfortable that none of what the letter originally contained that he couldn't support wasn't still in there.

Matt Lum stated that he supported the letter, but there was a matter of tone. To get a sense of a letter's tone the SAC would need to see the finished letter. Regarding distribution of draft letters he added that he thinks people will pay attention to important emails.

Chris Mobley concluded that the overall objective of everyone in the room was probably achieved: put Admiral Lautenbacher on notice that the Sanctuary Advisory Council has been involved in this process for 6 years; in addition to having the Pacific Fishery Management Council he also has this Advisory Council, which must be considered when he weighs his decision. Chris expressed gratitude that people were engaged in this process and were able to be respectful of one another and agree to disagree.

Fred Piltz pointed out that procedure number six on minority views says that the Advisory Council should also seek to include minority viewpoints, but that's pretty vague. He expressed concern that the SAC could end up with one letter that's really two separate letters.

Dianne responded that it depends on the action and the minority viewpoint. Some minority viewpoints are simply abstentions by agencies, and that may not need to be explained. Dan Brumbaugh pointed out there might be multiple minority viewpoints. Dianne suggested that if there are strong minority opinions they may need to be included as an attachment. The letter could show the vote and include an attachment of minority opinions.

Linda Krop suggested that the time between SAC meetings should be sufficient to work on the minority opinion.

Chris Mobley suggested that a letter should inform the decision-maker about the diversity of views, and that the SAC could get a strong consensus if the letter reflects the diversity of views. If someone has a new thought or a very different thought there is nothing stopping them from sending a second letter to the decision-maker.

Eric Kett suggested that if there is a minority viewpoint this will be reflected if a vote is taken on sending a letter. Then the Advisory Council can decide whether a minority opinion or a separate letter is warranted. A straw poll should tell us whether this is something we can get through in the given timeframe.

Dianne Meester asked if Advisory Council members are comfortable asking staff to make the modifications to the protocol she suggested, as well as to add the specification that the minority should write the minority opinion portion of a letter.

Merit McCrea asked whether it would be possible to allow the supporters of a letter edit it one more time following the vote. Dianne responded that the letter needs to reflect what SAC members voted on.

Sean Morton stated that Advisory Council letters are very important in decision making. He suggested that for issues on which the SAC is divided they try to find as much common ground as possible, to emphasize that from the start, and then talk about the differences. Chris Mobley indicated that the letters are also important to other agencies, for example the National Data Buoy Center.

Mike Murray offered to integrate Dianne's motion into the protocol document, and submit that first to Dianne, and then to the full Advisory Council so that the SAC can revisit this at the next meeting.

3. Final Report on CINMS Water Quality Needs Assessment

Linda Krop explained that the Conservation Working Group is providing this final Water Quality Needs Assessment to the Advisory Council in hopes that it will approve the report including its assessment and recommendations, and forward them to the Sanctuary. Linda introduced Shiva Polefka, and Sara Polgar, the primary authors, and acknowledged Tracy Duffy, Greg Helms, and Donna Meyers, Mike Murray and Sarah MacWilliams and other Sanctuary staff for their assistance in reviewing the document.

Shiva Polefka and Sara Polgar provided a PowerPoint presentation that focused on changes made since the presentation they provided at the July Advisory Council meeting. Sara provided background information on sources of water quality impairment, and on the current status of the following water quality components: research and monitoring; jurisdictions, regulations, and policy; public education and outreach. She then discussed gaps in each component.

Sara also highlighted SAC and public comments provided on the above sections of the report. For example, one commenter suggested that the report emphasize priority of potential threats relative to one another. However, she and her colleagues did not implement this suggestion because they did not have sufficient information to prioritize among the threats. Based on reviewer comments they did add to the education and outreach section of the report information about MERITO, the Advisory Council's Sanctuary Education Team, and information about Ventura County.

Shiva then provided an overview of the water quality management recommendations:

- The recommendations take into account constraints such as the current Sanctuary boundary and limited staff resources, but the report recommends that the Sanctuary look beyond such constraints.

Series of research and monitoring recommendations.

- Emphasize preventative measures to reduce water quality impacts of island and water users.
- Look to Monterey Bay National Marine Sanctuary for examples of water quality related actions that could serve as a model for CINMS.
- Many recommendations depend on continued research and monitoring in order to support education and sharing of knowledge.
- Noticed remarkable gap among concessionaires in their understanding of existing water quality regulations.
- Many of the recommendations suggest increased cooperation and consistent messaging from the Sanctuary and Park to all users and the concessionaires who facilitate their use.

Linda Krop clarified that there are many gaps that go beyond the recommendations, some of the gap areas are better addressed by other institutions, some might be inappropriate for the Sanctuary given its terms of designation, and some are not feasible at this time. As a result the report contains more information in the gaps than is reflected in the recommendations. She explained that hopefully other water quality institutions and organizations will consider those other gaps.

Donna Meyers provided an update on the NMSP's regional water quality program:

- She has proposed a framework for developing an original water quality program for west coast sites that includes site and regional program elements and a staffing strategy. Once final it will be distributed to sanctuary managers and the regional superintendent who can share it with others.
- Channel Islands is the site that's ready to go in the next year because of the work of the SAC, Conservation Working Group, and Sara and Shiva's report. This work has mobilized a lot of information that we don't have at other sites.
- One of the primary projects will be characterizing existing data. We need to understand what our data is or isn't telling us, and then we can look at the planning elements.
- She submitted a request for regional funds to support a science workshop or symposium to bring together marine scientists, ecologists and water quality experts.
- Working closely with Great Barrier Reef to look at their process that included a rigorous scientific component – something we also need here.
- Planning water quality staff training for all west coast sites.
- In next four months hope to provide site-specific water quality information to post on all west coast national marine sanctuary web sites. Donna noted that she may draw on local expertise about how to draw on existing resources to incorporate into that web information.
- Since boating is an issue that shows up in all west coast sites she is considering developing a boating stewardship brochure as a regional outreach pilot product.

Chris Mobley supported the idea of a workshop since getting more people in the room means we can get important information. For example, he noted that he recently learned that for years NOAA HAZMAT has monitored marine mammals around the Channel Islands for tissue contamination from the Montrose DDT site, along with other chemicals. Donna acknowledged that the planning process will involve partners and the community.

Fred Piltz pointed out that NOAA Sea Grant has tremendous brochures on boating etiquette, and the Regional Water Quality Control Board also has resources. He suggested assessing what outreach materials are already available before reinventing the wheel with a new boating stewardship brochure.

Regarding the water quality needs assessment Lauri Baker noted that she didn't see a financial component to the report, which would be important to consider since some recommendations have clear financial requirements. Shiva responded that they didn't conduct an assessment of how much the recommendations would cost to implement. Chris Mobley responded that the NMSP now has 19 performance measures, one of which is to document that water quality is being maintained and improved.

Now we need an action plan that discusses how we will achieve that performance measure and what resources it will take to do so. Sean Morton indicated that a lot of the Monterey Bay National Marine Sanctuary water quality program is focused on grants.

Lauri noted that adding the funding component would help establish the hierarchy in which you will implement the recommendations.

Linda Krop noted that this was the first step in identifying the gaps and how the Sanctuary might fit in. Dianne suggested taking a straw poll to determine whether the Advisory Council is ready as a whole to adopt the recommendations. The straw poll was unanimous that the Advisory Council supports adopting the recommendation.

Merit McCrea indicated that he sees policy, outreach, and scientific monitoring addressed but not enforcement. He noted that any enforcement vessel can address MARPOL regulations, but enforcement of existing regulations is pretty lax so he also expects that there is a gap in enforcement. Shiva agreed and recognized that this is underemphasized in the report. Shiva suggested that if or when this is forwarded to the Sanctuary Managers it be considered a working document so that as stakeholders have further ideas they can be inserted into the document at any time. This way anything we missed can still be incorporated into the action planning process.

Fred Piltz moved to adopt the recommendations and Eric Kett seconded the motion. Linda suggested that as in the case of the Conservation Working Group's acoustic report the SAC adopt the water quality report and recommendations, but also move to request a report from Sanctuary staff in response to the recommendations. The motion was amended to incorporate this same request of staff with regard to the water quality recommendations. The motion passed unanimously.

4. Public Comments

No comments provided.

5. Presentation: Overview of and Preparation for Draft Management Plan Release

Mike Murray and Sarah MacWilliams provided a PowerPoint presentation that included an overview of the management plan review process and the Advisory Council's involvement to date, and a preview of the Draft Management Plan (DMP) and the regulatory changes considered in the Draft Environmental Impact Statement (DEIS). They also provided a "Fact Sheet" handout in the meeting packet that highlights key elements of the management plan review.

Mike explained that management plans are five-year site management blueprints that: retain site specificity while fostering standardization within the NMSP, contain all non-regulatory actions and all Sanctuary regulations, set priorities for program areas (research and monitoring, education and outreach, resource protection), prioritize among planned actions and funding needed for each, establish the Sanctuary's administrative framework, identify relationships with other regional authorities and partnerships to protect Sanctuary resources, links actions to performance measures.

Mike explained that management plan reviews are conducted to: evaluate progress toward plan implementation; evaluate progress toward achievement of goals and objectives; evaluate effectiveness of site-specific management techniques and strategies; determine necessary revisions to management plans; and also because it is mandated under the NMSA.

Sarah highlighted a few select elements of the management plan including the new outreach center to teach ocean sciences (OCTOS) facility at UCSB, the Emergency Response and Enforcement Action Plan (describes MOU's with other agencies, which relates back to issues we've discussed today like marine

reserves and water quality enforcement within the Sanctuary), and performance measures (a new element to management plans).

Mike explained that the primary components of the DEIS include: the purpose and need for the Sanctuary to consider changes to current regulations, a suite of regulatory alternatives (status quo, proposed action, and alternative one), description of the affected environment, environmental consequences of alternatives (including no significant impacts to current human uses and net benefit to the environment).

Mike indicated that existing Sanctuary regulations date back to 1980 and relate to: oil and gas exploration and production, discharging or depositing materials, alteration of the seabed, operation of vessels carrying cargo and servicing offshore installations within one nautical mile of the islands, disturbing seabirds or marine mammals by flying aircraft at less than 1000 feet within one nautical mile of the islands, and removing or damaging historical or cultural resources.

Mike explained the rationale for various proposed regulatory changes:

- Advisory Council and public scoping comments
- Remove outdated language and information
- In response to movement within NMSP toward inter-site regulation consistency (bring our regulations up to date with regulations at more recently designated sites)
- Address issues that have emerged since 1980
- Take a risk reduction approach to prevent some issues that are not yet occurring at CINMS
- Provide civil penalties for violating certain prohibitions
- Bring place-based focus to protecting resources specifically within the Sanctuary
- Improve and clarify vague regulatory language (e.g., in permit regulations)

Mike then summarized the proposed regulatory changes (also summarized in the Fact Sheet handout) and noted which proposed changes would require changing the Sanctuary's Designation Document/Scope of Authority. Mike explained the upcoming Advisory Council and public review process, which will include two Advisory Council meetings and two public hearings. He recommended that working group chairs convene their groups and consider early on what sections of the documents they would like to focus their reviews on. Mike also encouraged Advisory Council members to contact Sanctuary staff with any ideas they have regarding the upcoming comment process and if they would like to volunteer at public hearings.

Advisory Council members asked questions about other agencies' review opportunities, when the supplemental EIS (SEIS) process to consider boundary changes will be initiated and if it will require scoping again, and if the management plan review process will start over again in five years. Sanctuary staff responded that all necessary interagency reviews will be conducted, the public phase of the SEIS will be initiated after the public phase of the marine reserves EIS is completed, additional opportunities for public comment on the boundary issue will be provided, and the new management plan may be functional for longer than five years.

6. Discussion of the Upcoming Annual SAC Chairs and Coordinators Meeting

Mike Murray referenced a letter inviting Dianne to the April 2006 Advisory Council Chairs and Coordinators meeting and explained that the Advisory Council has two related action items to consider. The first is considering whether this Advisory Council has any concerns about the draft meeting agenda (stapled to the letter).

Linda mentioned that it might be helpful if each site either developed a written list of issues they are going to work on in the next year or two, or spent 10 or 15 minutes explaining these issues. This would enable us to find out who's working on marine reserves, aquaculture, etc. If a written list of issues were

provided in advance it could be considered by other Advisory Councils, enabling them to prepare questions that could then be raised at the meeting about those issues of interest to them.

Mike noted that a quorum is no longer present but the other action item is to decide who else this Council would like to send to the meeting in Washington, D.C. since Dan Basta has invited two representatives (including the Chair) and Dianne has indicated her interest and availability to attend. Dianne Meester suggested that people let Mike know if this meeting might work for them. Dianne, Mike and Chris Mobley highlighted some of the incentives of participating: time to socialize, visit monuments, field trips (perhaps including a tour of the Capitol), visit with NMSP leadership and provide your perspective on issues of importance to you (a perspective from the field that they might not often hear).

Mike requested that people let him know if they are interested in the meeting, or if they want to nominate someone else to attend. He also suggested that the Council decide who to send at the next meeting and in the meantime staff will let absentees of today's meeting know about this opportunity.

Mike explained that this Council has already made a big impact on this meeting due to Jim Brye providing the acoustics case study for Channel Islands at the last meeting, which raised that issue to the national agenda and catapulted the NMSP into considering acoustics policy. As a result the April 2006 meeting will include a panel discussion on acoustics.

7. Marine Reserves Management and Phase II Process Update (Sean Hastings)

Marine Reserves Management:

Sean referenced a report on the Sanctuary web site that lists recommendations about looking at impacts to users. The next step is to get feedback from user groups about how they want to prioritize socioeconomic monitoring projects. As NMSP and NOAA are planning their budgets we want to be able to show them a prioritized list of items we are requesting funds for.

Last Tuesday the Sanctuary and the Recreational and Commercial fishing working groups hosted a socioeconomic monitoring workshop. Staff will be summarizing the results of that workshop and using those results to develop a social science plan. Everything will be vetted to the community for review and editing.

The next workshop will be held on October 18th with non-consumptive users trying to focus priorities for non-consumptive monitoring. We still need to involve the charter industry since they take a lot of non-consumptive users out. A summary of past workshops will be provided, as it was for the consumptive users' workshop.

Sean mentioned that there were some concerns about the format of the consumptive users' workshop and requested that Eric Kett raise any suggestions he has for future workshops to make sure that the Sanctuary and constituents get what they are looking for out of the workshops. Questions about the social science plan can be sent to Chris LaFranchi (chris@naturalequity.com).

Eric Kett summarized the recent workshop: Participants included Eric, a 6-pack charter fisherman, and commercial fisherman. There were far more socioeconomic and sanctuary staff than there were fishermen. There was concern about the idea that you can't ask the fishing community about socioeconomic impacts because this would result in biased data, so you have to go and ask a random sample of the public. The group spent time discussing what questions we need answered and how to answer them. Eric noted that non-consumptive and consumptive users are in a symbiotic relationship: you can't go out if the boat is not full so we need each to get out there and share the resources.

Chris suggested that in the future the workshops could be structured so that input from non-scientists is accepted at the meeting, the merits of which could be discussed later by scientists. Advisory Council members then discussed such issues as: the workshop discussion shifting from what data is needed to how data is gathered (product vs. process); confusion over what workshop participants were being asked to provide; fishermen's concern about how socioeconomic data will be used and the NOAA "human subjects review" process used to protect that data; that socioeconomic monitoring data will provide the data that people look at to determine whether or not marine reserves work, not biological monitoring, so we need to get socioeconomic monitoring going soon. Sean asked Advisory Council members to help get the word out about the October 18th meeting and indicated that the Sanctuary will be looking to them to plan future workshops.

Phase II Process Update

Sean acknowledged the Pacific Fishery Management Council (PFMC) action in June to consider establishing marine reserves in the Sanctuary. The next PFMC meeting is coming up in October and we anticipate a letter before that meeting explaining how NOAA wants to move forward with this action. Based on the PFMC recommendation NOAA Fisheries will soon provide a draft Proposed Rule for essential fish habitat (EFH). The Final Rule is expected by February or March 2006. The entire sanctuary was proposed as EFH and a habitat area of particular concern (HAPC) and the federal marine reserve areas under consideration are proposed as no take zones.

Advisory Council members discussed the permanence of the designations recommended by the PFMC and which gear types and fisheries can be managed under a groundfish fishery management plan. Chris Mobley indicated that NOAA is analyzing the decision about how to move forward with this action from a legal and policy perspective, and comparing and contrasting geographic scales and interests of different people.

Sean noted that some PFMC members have expressed concern about not being involved if this does go forward under the NMSA. Sean also noted that the PFMC is also wrestling with the Sanctuary request that they draft fishing regulations for CINMS. Mike Murray noted that earlier this year the Advisory Council liked the idea of interfacing with the PFMC, and the best time to do so may be in November.

8. Working Group Reports

Conservation Working Group. Linda Krop indicated that the working group is interested in continuing evaluation of the Water Quality Needs Assessment report and wants to reach out to recreational and boating users. Their next report will focus on open-ocean aquaculture, identified as an emerging issue by the Sanctuary. The Advisory Council received a presentation on this topic awhile ago from the NMSP's Jim Sullivan. We were going to receive some primary aquaculture guidelines from the NMSP, but that has now been put on hold.

Commercial Fishing Working Group. No report at this time.

Recreational Fishing Working Group. No report at this time.

Chumash Community Working Group. [Report provided during Council Member Announcements]. Paulette Cabugos announced that the formation of the Chumash Community Working Group is coming together. The first meeting is planned to be held on November 6th and the group hope to set a meeting time for every other first Sunday of the month if possible. Through conversations over the past year with different Chumash Community members, it is

their goal to have one adult and one youth participate from the different regions of Chumash territory at the meetings.

Research Activities Panel (RAP). Bob Warner noted a pitch to Paul Allen for a massive workshop that might happen in a year or two – so groundwork has been done for that. RAP members could not convene a meeting but they were tasked to look over a deep-water monitoring report that was circulated to them electronically. The deep-water monitoring report just recently became available and it and the RAP's comments are in today's meeting packet. The report is from April's workshop and it is not a monitoring plan. It presents the many different projects were discussed over the course of the workshop, arranged by priority. Given the current budgetary status, RAP members assumed only the highest priority projects would be given funding so they only commented on those: deep water visual aids, shallow water surveys 20 – 30 meters deep, and trap surveys. Designing a comprehensive water monitoring program everywhere using every technique could be a waste of resources, so efficiency needs to be kept in mind about what will be monitored. Bob then highlighted the RAP's comments: comprehensive monitoring in deeper areas of state marine reserves is lacking because monitoring technique(s) must still be established; accuracy, efficiency and expense need to be addressed for each monitoring technique; pleased with number of shallow water surveys suggested; want to see trap surveys included in the deep-water monitoring. Bob also commented that the RAP was disappointed that the Collaborative Marine Research Program did not fund a shallow trap system survey project (there was not one proposed that they felt would be adequate).

Sanctuary Education Team (SET). No report at this time.

9. Future SAC Meetings, Events and Agenda Topics

Future Meetings:

Last meeting of 2005 is on Nov. 18th in Ventura

Advisory Council members reviewed the 2006 meeting dates proposed by Sanctuary staff [provided in a meeting packet handout]. The group discussed whether or not to set two meeting dates for Thursday evenings in order to increase public attendance. Advisory Council members present decided to select all Friday meeting dates, but reserve the option to change meeting dates to Thursdays if possible and requested, depending on the timing and nature of future agenda topics.

The 2006 meeting dates agreed to are as follows:

- Friday January 20 (Santa Barbara)
- Friday March 17 (Ventura)
- Friday May 19 (Santa Barbara)
- Friday July 21 (Ventura)
- Friday September 22 (Santa Barbara)
- Friday November 17 (Ventura)

Meeting notes respectfully submitted by Channel Islands National Marine Sanctuary staff:

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